



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Steve Reynolds et al.

Application No. 09/818,052

Filed: March 27, 2001 Art Unit: 2623

For: SYSTEM AND METHOD FOR LOCAL META

DATA INSERTION

Examiner: Christopher M. Lambrecht

Confirmation No: 9179

RESPONSE UNDER 37 CFR 1.111

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the Action dated April 19, 2006, please consider the following Remarks.

REMARKS

Claims 1-56 stand variously rejected under 35 USC 102(e) and 103(a) on Del Sesto (WO 01/58159). Applicants respectfully traverse the rejections based on Del Sesto's failure to qualify as prior art under either 102(e) or 103(a).

Applicants have claimed priority to U.S. Provisional Application No. 60/193,470, and are therefore entitled to an effective filing date of March 31, 2000, (paragraph [0001]). Del Sesto, which does not designate the United States as a designated state, was filed on February 2, 2001, and did not publish until August 9, 2001. Consequently, as shown by Chart II, MPEP 706.02(f)(1), Del Sesto would only qualify as prior art as of its publication date, August 9, 2001, which is after

Docket No. 559442001400

applicants' effective filing date of March 31, 2000. Accordingly, Del Sesto does not qualify as prior art and claims 1-56 are therefore allowable.

Applicants solicit an early action allowing the claims.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 559442001400.

Dated: October 19, 2006

Respectfully submitted,

Adam Keser

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